

Valerie J. M. Brader
Deputy Legal Counsel and
Senior Policy Advisor to
Gov. Rick Snyder



Integrated Resource Plan/Certificate of Need

- Administration's proposal builds on the success of the CON process to date
 - Have seen it both allow a utility to make large investments in capacity and cause a utility to opt for not building itself
 - Offers pre-approval of costs, but puts projects to a much more stringent test than other investments (most reasonable and prudent)



Three step process

- Step One: Statewide determining of modeling parameters (e.g. range of natural gas prices, range of load growth assumptions)
- Step Two: Filing of integrated resource plans by utilities, which must meet most reasonable and prudent standard and meet all regulatory requirements
- Step Three: If needed, development of "default" plan for non-rate-regulated utilities that must participate in meeting total geography requirement

Step One: Outlining the Plans

- Goal of this step: produce a set of parameters to be modeled so that each utility's plan uses a common set of principles
 - Examples: range of electric demand, natural gas price ranges
- MAE, PSC, and DEQ work together to give key guidance re regional or state reliability or environmental requirements that must be (as well as may be) met.
 - Statewide analysis of waste reduction potential, costs

Step One: Outlining the Plans

- 3 month process
- Stakeholder participation will be key
- Guidelines given for how utilities could cooperate on a single plan
- Not a contested proceeding
- Utilities may run scenarios in addition to those recommended

- Led by PSC, with inputs from DEQ.
- Goal: approve a portfolio that represents the best value to the state over the long term, which is cost-effective, complies with applicable reliability standards and environmental regulations, and maximizes adaptability.

- DEQ gives input re regulations, expected environmental outcomes
- MPSC evaluates whole portfolio including:
 - Non-capital and capital tools (e.g. lowering peak by increasing volunteers to be interrupted compared to building a plant)
 - Investing in current plants vs. building new ones
 - Different types of plants (baseload/peaker/ intermittent; different fuels)

- MPSC can approve, approve with conditions, or disapprove
- Can approve if:
- Is the "most reasonable and prudent" option; and
- Would be reasonably expected to achieve compliance with the identified regulations
- Meets review criteria:
 - Cost effectiveness
 - Reliability
 - Environmental impact
 - Adaptability (reducing risk to any of the above criteria)

Step 2: CON/IRP

- MPSC may require filing no more often than every 2 years
- Approval includes a pre-approval of certain costs associated with the option
- Creates both a check for prudence and an offramp if things change
- Could substitute for current dual RPS and EO filings, also create presumptions that should reduce issues in rate cases and PSCR.

Step 3: Compliance Filings

- If there is a geography-wide rule that must be met (e.g. environmental or reliability) by a combination of actions of rate-regulated and non-rate regulated electric suppliers, go to Step 3.
- DEQ will give MAE input on environmental requirements, PSC on reliability, and compliance allocation for non rate-regulated

Step 3: Compliance Filings

- MAE will work with stakeholders to develop a "default plan" that if followed by all, would meet regulations.
- Plan generally follow same format and constraints as rate-regulated plans.
- Would be alternatives/default option for multi-entity cooperation

Step 3: Compliance Filing

- MAE submits default plan to PSC
 - Non rate-regulated entities could indicate intent to follow default plan and exit process
 - If wanted to depart from default, would have to demonstrate to PSC that their alternative is likely to meet reliability/environmental requirements for approval (no cost test)

Why This Is An Improvement

- Adaptability Increased
 - Better comparisons. Higher standards. Off-ramps.
 Better information.
- Affordability Increased
 - Higher standards. More options compared, open process. Finds best way to meet multiple goals.
- Reliability Increased
 - Requires more planning, allows region-wide approach
- Environmental Protection Increased
 - No artificial limits or lack of compensation for no emission resources (e.g. peak shaving, waste)

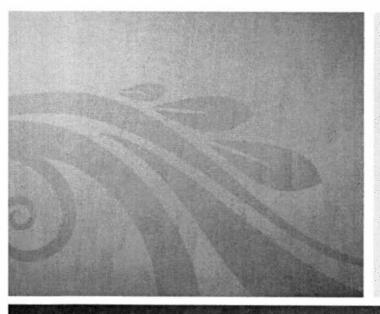
- Puts all investments on equal footing
 - No barrier to putting renewable energy to same test (CON standard now does not allow that)
 - Gets rid of \$500M threshold so smaller plants/investments with big cumulative totals get put to same test as one investment does
 - Not limited to new plants, investments, or long PPAs; allows similar benefits to accrue to alternatives

- Much tougher standard for all investments ("most reasonable and prudent" instead of "just and reasonable")
- Wider potential for pre-approvals should lower financing costs (lower risk)
- More adaptable with an off-ramp for changing conditions

- Limitations of current energy waste law
 - Cap on amount that can be spent is 2% of total retail sales, even if alternatives cost much more
 - Independent study predicted this will limit electric waste reduction to 0.6%- 0.7%/yr by 2025.
 - Limits on compensation make it non-preferred even when cost-effective
 - Electric decoupling not authorized
 - Limit on amount of peak shaving that can be compensated (10% of waste reduction)
 - No pre-approval via CON

• Upshot:

- For affordability, this proposal is better than what we have today
- For reliability, this proposal is better than what we have today
- For decreasing environmental impacts, this proposal is better than what we have today
- For adaptability, this proposal is FAR better than what we have today.



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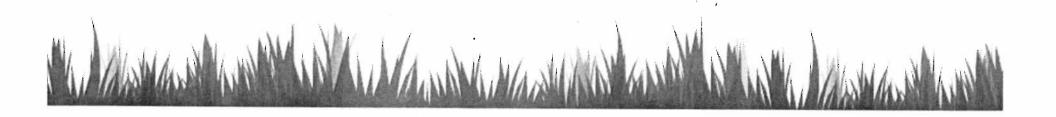
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